



Council Offices, Kiln Road,
Thundersley, Benfleet,
Essex SS7 1TF.
Tel. No: 01268 882200



An ORDINARY MEETING OF THE COUNCIL of the Borough of Castle Point will be held in the **Council Chamber, Council Offices, Kiln Road, Thundersley**, on **WEDNESDAY, 26th JULY 2023 at 7.p.m** and all Members of the Council, listed below, are hereby summoned to attend to transact the undermentioned business.

Councillors, Ms L. McCarthy-Calvert (The Worshipful the Mayor), B. Campagna, (Deputy Mayor), A. Acott, Ms S.A Ainsley, J. Anderson, Ms H.L Barton-Brown, Ms N. Benson, B. Bizzell, D. Blackwell, Mrs. J.A Blissett, K. Bowker, M. Dearson, A. Edwards, Mrs. B. Egan, M. J Fuller, T.Gibson, W. Gibson, P.C. Greig, S. Hart, N. Harvey, G. Howlett, G.I. Isaacs, Ms D. Jones, J. Knott, R. Lillis, P. May, S Mountford, Mrs. S. Mumford, B.A. Palmer, J.A. Payne, Mrs. J Payne, Mrs. C.J Sach, R. Savage, T.F. Skipp, A. Taylor, D.J. Thomas, A. Thornton, Mrs. J Thornton, Walter, Mrs G Watson and G.St.J. Withers

Angela Hutchings
Chief Executive

AGENDA

PART I

(Business to be taken in public)

1. Apologies for absence

2. Members' Interests

3. Minutes

To receive the following:

- Minutes of the meeting of the Ordinary Council held on 22nd March 2023.
- Minutes of the Annual Meeting held on 17th May 2023
- Minutes of Special Council held on 31st May 2023

4. Mayor's Announcements

The Mayor will report announcements if any at the meeting.

5. Questions from members of the public of which Notice has been received

These are attached.

6. **Questions from Members of the Council of which Notice has been received –**
These are attached.
7. **To deal with any business from the last Council Meeting –** There is none.
8. **Any explanations for urgent decisions taken by Cabinet -** There are none.
9. **Consideration of recommendations from Cabinet -** There are none
10. **Any References from the Scrutiny/Policy and Scrutiny or Regulatory Committees -** There are none.
11. **Proposal for Investment and Refurbishment Works at Knightswick Shopping Centre Canvey Island**
A report is to follow.
12. **Transformation Matters - Review of Constitution**
A report is attached.
13. **Consultation Response to Essex County Council Electoral Review**
A report is attached.
14. **Report from the Leader of the Council/Cabinet Member**
The Leader is to report at the meeting.
15. **Notices of Motion -** A report is attached.
16. **Petitions submitted by Members of the Council of which Notice has been given. -** None have been received.
17. **Recommendations to Council – Transforming Together – Outcome of Tier 2 Organisation Restructure.**
A report is attached.
Exclusion of the Press and Public
The Council will be asked to pass the following resolution:

Resolved:

For the purpose of Section 100A (4) Local Government Act 1972 as amended as the business contains information relating to an individual or is likely to reveal the identity of an individual (Exempt Information under Paragraphs 1 & 2 Schedule 12A Local Government Act 1972) to exclude the press and public from the meeting to enable the business of the meeting to be transacted in private

PART 2

(Business to be taken in private)

(Item to be considered with the press and public excluded from the meeting)

17. Recommendations to Council – Transforming Together – Outcome of Tier 2 Organisation Restructure.

(Exempt Information under Paragraphs 1 & 2 Schedule 12A Local Government Act 1972 as amended)

Confidential Appendix A and B to follow.



ORDINARY COUNCIL MINUTES

22nd MARCH 2023

MINUTES of the Ordinary Meeting of the Council of the Borough of Castle Point held in the Council Chamber, Council Offices, Kiln Road, Thundersley, on Wednesday, 22nd March 2023.

PRESENT:

Councillors, Ms L. McCarthy-Calvert, (Deputy Mayor), A. Acott, Ms S.A Ainsley, J. Anderson, Ms H.L Barton-Brown, D. Blackwell, B. Campagna, S. Cole, J.M. Cutler, M. Dixon, A.E Edwards, Mrs. B. Egan, E. Egan, M. J Fuller, T.Gibson, W. Gibson, P.C. Greig, S. Hart, N. Harvey, G.I. Isaacs, C.A. MacLean, P. May, C. Mumford, Mrs. S. Mumford, B.A. Palmer, Mrs. J Payne, J.A. Payne, C.R Riley, Mrs. C.J Sach, R. Savage, T.F. Skipp, D.J. Thomas, A. Thornton, Mrs. J Thornton, Walter and G.St.J. Withers.

Apologies for absence were received from Councillors Mrs. J.A Blissett and K. Bowker S Mountford, A. Taylor, and Tucker.

45. MEMBERS' INTERESTS

There were none

46. MINUTES

The Minutes of the meeting of the Ordinary Council held on 30th November 2022 and the Minutes of the Special Council held on 15 February 2023 were taken as read and agreed as a correct record. The Deputy Mayor signed the Minutes.

47. MAYOR'S ANNOUNCEMENTS – MAYORESS DAWN TUCKER RIP

All present joined the Deputy Mayor in offering sincere condolences to Councillor Martin Tucker the Mayor on the sudden passing of his beloved wife Dawn ,the Mayoress. Dawn was such a support to Martin particularly in this year as Mayor. Dawn's a lively and vivacious character would be missed .

All present stood in silence in memory of the Mayoress Dawn Tucker.

48 . QUESTIONS FROM MEMBERS OF THE PUBLIC OF WHICH NOTICE HAS BEEN RECEIVED

a. Question to the Leader of the Council

Sean Quartermaine put forward two questions :

As you are aware, the Local Government Boundary Commission for England recently published their final report for the future of our borough's ward boundaries and councillor numbers.....

The basis of the Commission's flawed proposal is the requirement to elect councillors by thirds in a never-ending cycle of annual local elections.

In light of this, would you commit to:

- 1. Put forward a motion (hopefully with the support of PIP leader Cllr Cole and Conservative leader Cllr Isaacs) to change the Constitution of Castle Point Borough Council to replace large, three-councillor wards with three smaller single-councillor wards.*
- 2. Put forward a motion (preferably with the support of others) to consolidate Castle Point's local election timetable into one large set of borough/county local elections every 4 years.*

These proposals, especially the first, would surely require new ward boundaries to be proposed for Castle Point, and the second proposal would also undermine the Commission's premise for their proposals. Smaller single-member wards would also make it more difficult for the Commission to justify under-representing Canvey again.

The Leader of the Council responded to question one referring to the item on the agenda to consider a report on the Final Recommendations from the Local Government Boundary Commission. The report explained why such a proposition would not have been acceptable. The proposal reduced even more the number of councillors representing residents.

In reply to question two, the Leader explained that by law it was not possible to schedule Borough and County Council Elections together. (There was an exception in 2021 after the Borough Elections were suspended in 2020 owing to Covid.)

b. Question to the Leader of the Council

From Robert Lillis:

'Can the Leader of the Council confirm that had the Local Plan not been withdrawn it would have left our Borough in an even more vulnerable position to developers, as applicants could have used the sound non-adopted plan as strong evidence to support their speculative applications on our precious Green Belt?'

The Leader thanked Mr. Lillis for his question and replied that when the now withdrawn plan was found sound, the recommendation from officers was to adopt the plan. It was the Plan that they were asked to take through examination by the Council in October 2019.

In March last year the Council voted not to adopt and in June the Council democratically decided to withdraw the plan, after considering the implications laid out by officers.

The Council cannot stop developers submitting planning applications. However, had the plan been left sound but unadopted, the weight applied to it by officers, by Development Management Committee, on appeal, by an Inspector, would be significant.

It would have been a material consideration because it had not been withdrawn. Officers would have been expected to follow that plan, and a Planning Inspector would have given a significant weight. The Council would have been very vulnerable to developers' proposals now being seen, and grant of planning permission would be more likely.

By withdrawing the plan, the allocations in the plan no longer apply. Sites that were proposed to be withdrawn from green belt remain in green belt and defined in the 1998 Local Plan – not proposed allocations, simply green belt.

Once a plan is withdrawn it has no weight. Developers will, as expected, seek to justify their proposals by referring to the withdrawn plan or its evidence base, but the plan is not material consideration in determining planning applications by officers, the Development Management Committee or, on appeal, by a Planning Inspector.

49. QUESTIONS FROM MEMBERS OF THE COUNCIL OF WHICH NOTICE HAS BEEN RECEIVED

There were none

50. TO DEAL WITH ANY BUSINESS FROM THE LAST COUNCIL MEETING

At the Council meeting held on 30.11.2022 consideration of the following Motion was deferred without debate for a report to Cabinet Council Procedure Rule 13 applied.

'The Conservative Group call on Castle Point Borough Council to reintroduce the Firework Fiesta in order to provide a safe community event for residents and to help minimise the traumatic effect of home fireworks which adversely affect both residents and pets

Cabinet considered a report on 15th March 2023 which was before Council. Cabinet had agreed to commission a public fireworks event at Waterside Leisure Centre in November 2023.

The Motion was withdrawn.

51. ANY EXPLANATIONS FOR URGENT DECISIONS TAKEN BY CABINET

There were none.

52. CONSIDERATION OF RECOMMENDATIONS FROM CABINET – COUNCIL TAX SUPPORT FUND 2023- 24

Council was asked to approve the recommendations from Cabinet seeking approval of Council for the proposed arrangements for the dispersal of surplus funding resulting from the Council Tax Support Fund for 2023-24.

Cabinet had considered proposals set out in paragraph 5.8 of the report that;

- a) households that are liable for Council Tax at 1st April 2023 but only become newly eligible for WACTR or LCTS during the financial year will not be considered eligible for a pro rata payment or any other such automatic payment, and
- b) any surplus funding is allocated to the Council's existing Exceptional Hardship Scheme and is thereby used to provide substantive support to vulnerable households under the usual rules of that scheme.

These proposals would allow the Council to provide more substantive and meaningful support to those who have demonstrated high levels of vulnerability and financial hardship, keep the scheme simple and easy to understand and apply for and reduce the administrative burden and costs associated with making more frequent but smaller and less impactful payments to a wider caseload.

The surplus funding would be ringfenced within the Exceptional Hardship budget and normal Exceptional Hardship rules would apply in terms of determining eligibility and award levels.

Resolved -

1. That Council note the content of section 5 of the report and specifically the content of paras 5.8 and 5.9 as detailed.
2. That Council approve the recommendation from Cabinet specifically the proposals set out in para 5.8 as detailed regarding the use of surplus funding and treatment of newly eligible Working Age Council Tax Reduction (WACTR) and Local Council Tax Support (LCTS) claimants during the year.

53. CONSIDERATION OF RECOMMENDATIONS FROM CABINET - ADOPTION OF THE DEVELOPER CONTRIBUTIONS GUIDANCE SUPPLEMENTARY PLANNING DOCUMENT LIBRARY

Council was requested to consider recommendations from Cabinet to agree the adoption of the Developer Contributions Guidance (DCG) Supplementary Planning Documents (SPD) Library (hereon in known as the 'DCG SPD Library'). The recommendation also seeks to revoke the existing Adopted Developer Contributions Guidance SPD 2008. The report follows the public consultation of the DCG SPD Library from November 2022 to January 2023.

Resolved:

1. To note the outcomes of the public consultation on the Developer Contributions Guidance Supplementary Planning Documents (Appendix 1).
2. To adopt the Developer Contributions Guidance – Cover Document Supplementary Planning Document (Appendix 2) and publish the corresponding Adoption Statement (Appendix 7).
3. To adopt the Developer Contributions Guidance – Affordable Housing Supplementary Planning

Document (Appendix 3) and publish the corresponding Adoption Statement (Appendix 7).

4. To adopt the Developer Contributions Guidance – Healthcare Facilities Supplementary Planning Document (Appendix 4) and publish the corresponding Adoption Statement (Appendix 7).
5. To adopt the Developer Contributions Guidance - Highways, Travel, Education, Libraries, Flooding and Drainage Infrastructure Supplementary Planning Document (Appendix 5) and publish the corresponding Adoption Statement (Appendix 7).
6. To adopt the Developer Contributions Guidance - Playing Pitches and Indoor Built Facilities Supplementary Planning Document (Appendix 6) and publish the corresponding Adoption Statement (Appendix 7).
7. Following approval of recommendations 2 – 6 of this report to revoke the existing Adopted Developer Contributions Guidance Supplementary Planning Document 2008 and publish the Revocation Notice found in Appendix 8 in accordance with Regulation 15 of the Town and Country Planning Regulations 2012 (as amended).
8. To authorise the Head of Place and Policy in consultation with the Leader and Deputy Leader of the Council to make minor amendments to Appendices 1-8 prior to publication.

54. ANY REFERENCES FROM THE SCRUTINY/POLICY OR REGULATORY COMMITTEES

There were none.

55. COMMUNITY INFRASTRUCTURE LEVY

Council considered a comprehensive report setting out the outcomes of the examination of the Castle Point Draft Community Infrastructure Levy Draft Charging Schedule and seeking approval of Council to publish the Community Infrastructure Levy Charging Schedule with the modifications made by the Examiner to enable it to take effect from the 1st May 2023.

The Community Infrastructure Levy Charging Schedule was attached as Appendix 2 and the Instalment Policy was at Appendix 3.

Resolved:

1. Approve the publication of the Community Infrastructure Levy Charging Schedule included to come into effect on the 1st May 2023.
2. Approve the Instalment Policy included to come into effect on the 1st May 2023.
3. Authorise the Chief Executive and Head of Place and Policy, in consultation with the Leader and Deputy Leader, to make any minor editorial changes to the Community Infrastructure Levy Charging Schedule or Instalment Policy as necessary prior to publication

56. NEW ELECTORAL ARRANGEMENTS FOR CASTLE POINT BOROUGH COUNCIL – FINAL RECOMMENDATIONS

Council discussed a report informing Council of the final recommendations of the Local Government Boundary Commission for England's review of the electoral arrangements for Castle Point Borough Council.

The final recommendations for Castle Point were as follows:

- Castle Point should be represented by 39 councillors, two fewer than there are now
- Castle Point should have 13 wards, one fewer than there are now
- The boundaries of all wards should change
- (Changes would also be made to the wards to the Canvey Town Council.)

These proposals were to be put forward as a draft Order laid before Parliament which is the process to make them become law. The new electoral arrangements were to come into force from May 2024, with an all-out election held in that year.

Members raised a number of issues including :

The Commission based their recommendations on development areas that were included in the now withdrawn Local Plan; The population of the Borough has grown – the Commission should not have reduced the number of councillors; The Commission pre-decided it was going to reduce the number of councillors in Castle Point; The A13 is a natural boundary yet this road runs through some of the recommended new wards; Deprivation and socio-economic factors should have been taken into account when making recommendations; The names of the recommended new wards do not contain anything about local history or local geography; New development on Sandy Bay and expected further development in the Borough has not been taken into account in the 2028 projected electorate figures; The Review is unfair and undemocratic

Under the last issue the Review is unfair and undemocratic the Council raised a number of points :

- That there is now a “made up” ward on the Canvey Island Town Council called Canvey Island South West because the Borough Council’s West Ward has been taken away.
- Which councillor can someone who currently lives in West Ward now get in touch with if they have a problem?
- There is no democracy, someone from Government told us what we are going to have. There has been no real public involvement and the Council needs to take this back to the relevant authorities.
- Councillors were involved in early meetings (workshops) but none of the things discussed at those meetings have panned out the way the Council thought it would.
- Although the workshops were looking at the number of councillors, at no time were members told about implications for the number of wards.
- The review has been an attack on democracy and councillors have not been consulted.
- Residents are concerned, removing two councillors and West Ward is unfair and undemocratic, and puts Canvey Islanders at a disadvantage at local elections.

At the conclusion of the discussion, Councillor Campagna proposed the following Motion:

Full Council should take the following steps to respond to the sentiments being heard from our residents and from councillors in the Chamber tonight:

- a. Legal opinion from a top barrister to tell the Council how it can force the Boundary Commission to look at the report and recommendations again*
- b. Chief Executive to write to the Boundary Commission with strong objections to the cutting of West Ward and reduction of councillors on Canvey Island*
- c. Follow up report at the next Council meeting with an update on legal advice given about stopping the changes and to get an update from the Chief Executive regarding the objections sent to the Boundary Commission*

The Motion was seconded a Vote took place which was CARRIED UNANIMOUSLY

Resolved -

Full Council should take the following steps to respond to the sentiments being heard from our residents and from councillors in the Chamber tonight:

- a. Legal opinion from a top barrister to tell the Council how it can force the Boundary Commission to look at the report and recommendations again
- b. Chief Executive to write to the Boundary Commission with strong objections to the cutting of West Ward and reduction of councillors on Canvey Island
- c. Follow up report at the next Council meeting with an update on legal advice given about stopping the changes and to get

an update from the Chief Executive regarding the objections sent to the Boundary Commission

57. REPORT OF THE RETURNING OFFICER - ELECTIONS FEES AND EXPENSES 2023/24; APPOINTMENT OF DEPUTY ELECTORAL REGISTRATION OFFICER

Council was received a report presented by the Returning Officer to Council to note the Returning Officer's scale of fees and associated expenses for Elections taking place during 2023/24. These were shown in Appendix 1.

Council was also requested to agree the appointment of a Deputy Electoral Registration Officer, (DERO) with full powers for the Castle Point area.

Resolved -

1. To note the fees to be paid to the Returning Officer as identified as Appendix 1, Table A.
2. To note the Election Staff Fees to be paid as set out in Appendix 1, Table B for financial year 2023/24.
3. To note the fees for the Clerical Allowance as identified at Appendix 1, Table C.
4. To agree the appointment of a Deputy Electoral Registration Officer, (DERO) with full powers for the Castle Point area.
5. To delegate to the ERO the power to appoint one or more deputies and to revoke or vary such appointments as necessary.

58. REPORT FROM THE LEADER OF THE COUNCIL / CABINET MEMBER

The Leader of the Council, Councillor Blackwell, reported to the meeting reflecting on the past year. He acknowledged the success of the joint administration with the People's independent Party and thanked the leader of the Party Councillor Cole and his Party for his support and contribution.

The Leader highlighted some key matters including the decision not to adopt the Local Plan and progress being made to move forward with a new Plan with the involvement of the community at the centre of preparations. The first meeting of the Flood Resilience Forum was to take place the following evening. The setting of a balanced budget with limited use of reserves to support the continuing of Essex County Council's highway rangers service and the dedication of funding to support climate action. The Action Plan to support residents with the Cost of Living. Public engagement events to listen to the community. The Leader looked forward to continuing to work with partners, voluntary organisations and the Council.

59. NOTICE OF MOTION

There were none.

As this was last Full Council meeting before the Borough Elections the Deputy Mayor thanked Councillors Martin Tucker, Eoin Egan and Steve Cole who would

Ordinary Council 22.3.2023

not be seeking re-election for their service to the Council and Community and wished good luck to all those seeking re-election.

Mayor



ANNUAL COUNCIL MINUTES

17TH MAY 2023

MINUTES of the Annual Meeting of the Council of the Borough of Castle Point held in the Council Chamber, Council Offices, Kiln Road, Thundersley, on Wednesday, 17th May 2023.

PRESENT:

Councillors, Ms L. McCarthy-Calvert (Deputy Mayor), A. Acott, Ms S.A Ainsley, J. Anderson, Ms H.L Barton-Brown, Ms N. Benson, B. Bizzell, K. Bowker, B. Campagna, M. Dearson, A. Edwards, Mrs. B. Egan, T. Gibson, W. Gibson, P.C. Greig, S. Hart, N. Harvey, G. Howlett, G.I. Isaacs, Ms D. Jones, J. Knott, R. Lillis, P. May, S. Mountford, Mrs. S. Mumford, B.A. Palmer, J.A. Payne, Mrs. J. Payne, Mrs. C.J. Sach, R. Savage, T.F. Skipp, A. Taylor, D.J. Thomas, A. Thornton, Mrs. J. Thornton, Walter, Mrs G. Watson and G.St.J. Withers

ALSO PRESENT:

M.A. Tucker (The Worshipful the Mayor),

APOLOGIES: D. Blackwell, Mrs. J.A. Blissett and M. J. Fuller.

1. MEMBERS' INTERESTS

There were no disclosures of interest.

2. MAYOR'S ANNOUNCEMENTS

The Mayor was pleased to welcome to the Council Nicola Benson, Ben Bizzell, Michael Dearson, Gareth Howlett, Di Jones, John Knott, and Rob Lillis seven newly elected Councillors, Councillors Grace Watson, a returning Councillor and congratulated Councillors that had been re-elected.

3. ELECTION OF NEW MAYOR

Moved by Councillor Campagna and seconded by Councillor Greig

Resolved – That unless she resigns or becomes disqualified, Councillor Mrs Lynsey McCarthy-Calvert be elected Mayor, to continue in office until her successor becomes entitled to act as Mayor.

Councillor made her Declaration of Acceptance of Office and assumed the Chain of Office. The Mayor thanked the Council for her appointment. The Mayor announced that her Chaplain would be Rev Tania Menegatti and that she planned to raise funds for local charities during her year of office.

4. VOTE OF THANKS TO RETIRING MAYOR

Moved by Councillor Warren Gibson who paid tribute to Past Mayor, Martin Tucker, on an outstanding year with Dawn, sadly his late departed Mayoress who were

an outstanding team presiding over not only local but national events of huge significance on the death of her late Majesty Queen Elizabeth the Second and the Proclamation here in the Council Chamber on the accession of King Charles the Third last September. The vote was seconded by Councillor Mountford.

Resolved – That a vote of thanks be accorded to Past Mayor, Martin Tucker on his retirement from the office of Mayor.

Past Mayor, responded on his term of office during the last municipal year 2022–2023. He offered his sincere thanks to the Council for the tribute to his late wife Dawn ,the Mayoress at the Ordinary Council meeting in March.

The Mayor presented Mr Martin Tucker with his ‘Past Mayor’s Badge’.

5. ELECTION OF DEPUTY MAYOR

Moved by Councillor Warren Gibson and seconded by Councillor Mountford.

Resolved - That unless he resigns or becomes disqualified, Councillor Barry Campagna be elected Deputy Mayor to continue in office until his successor becomes entitled to act as Deputy Mayor.

Councillor Campagna made his Declaration of Acceptance of Office and thanked the Council for her appointment.

6. ELECTION OF LEADER OF THE COUNCIL

Moved by Councillor Warren Gibson and seconded by Councillor Mountford

Resolved - That unless he resigns, is no longer a Councillor, or is removed from office by resolution of the Council or otherwise becomes disqualified, Councillor David Blackwell be appointed Leader of the Council in accordance with the Localism Act 2011 for the Council year.

7. APPOINTMENT OF DEPUTY LEADER OF THE COUNCIL

Moved by Councillor Palmer and seconded by Councillor Thomas .

Resolved - That unless he resigns or becomes disqualified, Councillor Warren Gibson be appointed Deputy Leader of the Council for the Council year.

8. BOROUGH ELECTIONS – REPORT OF THE RETURNING OFFICER

The Council received the following report from the Returning Officer on the result of the Borough Council Elections held on 4th May 2023, as follows: -

(a) Results

The number of votes for each candidate was as follows: -

Appleton Ward	
BIZZELL, Benjamin Oliver	653 Elected
JOHNSON, Wayne	614
MAGUIRE, Mark Jonathan	241

Turnout: 28.6%

Annual Council 17.5.2023

Boyce Ward	
BAILEY, Gwyneth Ann <i>commonly known as</i> BAILEY, Gwyn	149
LILLIS, Robert James <i>commonly known as</i> LILLIS, Rob	1036 ELECTED
MUMFORD, Charles Edward, <i>commonly known as</i> MUMFORD, Chas	566

Turnout 33%

Cedar Hall Ward	
CHASIYA, Moreblessing	142
HOWLETT, Gareth John	900 ELECTED
MACLEAN, Colin, Alan,	624
MCGILL, Keiron Anthony	32

Turnout 34%

St George's Ward	
BENSON, Nicola Lyn	604 ELECTED
CURTIS, Katie, Elizabeth	244
FORTT, Jack David	409

Turnout 28.7%

St James' Ward	
ALLAIN, Sonny Curtis	451
DUFF, Geoffrey Robert	156
THORNTON, Jacqueline Elizabeth <i>commonly known as</i> THORNTON, Jacqui	698 ELECTED
WOODWARD, Simon Richard	79

Turnout 31.5%

St Mary's Ward	
CHAPMAN, Laurence James	262
CUTLER, James Matthew	420
JONES ,Diana Meiling <i>commonly known as</i> JONES Di	948 ELECTED

Turnout 33%

St Peter's Ward	
DEARSON, Michael Ernest	892 ELECTED
Dixon Michael	497
EMBERSON William Frederick <i>commonly known as</i> EMBERSON Bill	199

Turnout 31.3%

Annual Council 17.5.2023

Victoria Ward	
COOKE, Joseph Patrick commonly known as COOKE Joe	153
DIXON, Eleanor Grace	277
Knott, John Charles	1356 ELECTED
Turnout 38.7%	

Canvey Island Central Ward	
BLACKWELL, David Alan commonly known as BLACKWELL Dave	665 ELECTED
DROGMAN, Nikki Bianca	176
MILLER, Terry George	175
Turnout 20.5%	

Canvey Island East Ward	
Haunts, Patricia Commonly known as HAUNTS, Pat	247
REILLY, Jacqueline Constance commonly known as REILLY, Jackie	127
WATSON, Grace	678 ELECTED
Turnout 22.2%	

Canvey Island North Ward	
FULLER, Michael John	872 ELECTED
MCARTHUR-CURTIS, Margaret Edith commonly known as MCARTHUR-CURTIS, Maggie	161
ROPER, Adrian	231
Turnout 24.3%	

Canvey Island South Ward	
BANNISTER, Richard John	45
CURTIS, Daniel Alan	119
LAMMERT, Wayne	260
PAYNE, Janice	762 ELECTED
Turnout 23.8%	

Canvey Island West Ward	
COX, Heidi	110
QUARTERMAINE, Sean Douglas Brian	162
STONE, John Andrew Nicol	298
THOMAS, David James	394
	ELECTED

Turnout 23%

Canvey Island Winter Gardens Ward	
ANDERSON, Elizabeth <i>commonly known as ANDERSON, Liz</i>	188
STANLEY, Jeffrey	195
WITHERS, Graham St. John	529
	ELECTED

Turnout 19%

Overall turnout 28%

(b) Postal Voting

The number of postal voters on the register was 10,147 and papers to this number were despatched. Up to the close of the poll 7143 had been returned and the number of votes recorded in (a) above included the postal votes which were found to be in order.

(c) Return of Expenses

These returns are required from candidates and election agents within 35 days of the election, Friday 9th June 2023.

(d) Declaration

Declarations of acceptance of office were made as required by statute.

(e) Commentary on the conduct of the Elections

The poll for the Borough Elections was held in all fourteen Wards. Polling also took place in all Canvey Island Wards for the Elections for the Canvey Island Town Council.

These Elections were the first to take place following the enactment of Elections Act 2022, and the requirement for Voter ID for those voters voting in person at Polling Stations and the requirement for enhanced Voter Accessibility. The Elections Team had incorporated these new arrangements to meet the requirements into the planning and delivery of the Elections.

Official polling cards were delivered to all registered electors between 24th March and 8th April in letter format to take account of the requirements of Elections Act 2022 regarding Voter ID and accessibility and the content as prescribed in election rules. We returned to the arrangements paused last year by covid with the poll cards at this year's election being hand delivered by canvassers to ensure that residents received their cards in a timely fashion and before key deadlines e.g. the closing date for applications for postal votes.

No changes were made to the location of Polling Stations. Detailed below is the information the Returning Officer was allowed to publicise regarding the impact of Voter ID on these Elections.

Data for Publication	Number
The total number of polling station electors who applied for, but at least initially were not issued with, a ballot paper.	46
The total number of polling station electors who were not issued with a ballot paper and who later returned with accepted ID and were issued with a ballot paper	33
The number of polling station electors who applied for but were not issued with a ballot paper	13

As section (b) of this report stated, 10,147 postal votes were issued. My elections team had been proactive in encouraging postal voting. The preparation of the postal ballot paper packs was outsourced to a mailing house and these arrangements were both efficient and effective. The delivery by Royal Mail in respect of the mailing of the postal vote packs went smoothly this year.

The receipting of the postal votes was undertaken in house with a dedicated team recruited for the task. These arrangements worked well with candidate's representatives able to attend to oversee the process if they wished.

The verification and counting of the votes for the Borough Elections took place on Thursday 4th May 2023 following close of poll was carefully planned by my elections team and delivered timely declarations for each of the fourteen Wards.

In conclusion, the Returning Officer was pleased to report that the measures implemented by her elections team worked successfully and contributed to the delivery of timely and robust election results which should have the confidence of the Council, political parties, candidates and the electorate of the Borough.

The Returning Officer took the opportunity to record her thanks to everyone who assisted in the delivery of these Elections.

Resolved – to note the report

9. POLITICAL PROPORTIONS OF THE COUNCIL AND APPOINTMENTS TO COMMITTEES ETC.

The Council considered a report, which reviewed the allocation of seats to the political groups on the Council. The report also addressed the appointment of Committees and appointment of the Chairmen under the structure approved by

Annual Council 17.5.2023

Council designed to respond to the obligations and duties placed on the Council by the Localism Act 2011.

Council was also asked to allocate seats and appoint the Independent Member to seats on Committees.

Details of the allocations were set out in the report. As a result of the Borough Elections this year the allocation of seats to the political groups had changed.

Notice of Changes had been received to the Political Groups.

Councillor Grace Watson had joined the Canvey Island Independent Party Group.

The following Members had joined the People's Independent Party Group: Councillors Nicola Benson, Ben Bizzell, Michael Dearson, Gareth Howlett, Di Jones, John Knott, and Rob Lillis.

The of leadership the People's Independent Party Group had changed: Group Leader was now Councillor Warren Gibson and Deputy Councillor Steve Mountford.

Notice was received of a change of leadership of the Conservative Group: Group Leader was now Councillor Beverley Egan and Deputy Councillor Jacqui Thornton.

Councillor Godfrey Isaacs had given notice that he had left the Conservative Group on the Council and was no longer leader of the Group. He wished to be treated as an Independent Member.

In making the appointments to Council, the Council needed to consider the political proportions of the Council. The allocation of memberships on the Committees had to be on the basis of the political proportions of the Council.

It should be stressed that political proportions relate to proportions based on the respective memberships of political groups. In law, a group had to contain at least two Members.

Throughout the calculations on proportions, the figures had therefore been based on the proportions of the groups to the membership of the Council i.e., 41 shown in the following table.

Party	Seats	Proportions for allocation purposes
Canvey Island Independent	16	39% (39.02%)
Conservative	8	20% (19.5%)
People's Independent Party	16	39% (39.02%)

In the remainder of this item relating to the appointment of Committees etc, the above political proportions had been applied and the allocations rounded to ensure compliance with the political balance requirement.

The Council also had to look at the overall allocation across all Committees etc., to ensure the individual Committee rounding do not distort the overall balance, and

there may have to be some overall adjustment to correct any imbalance caused through the rounding.

The table below showed the total number of seats allocated to each Group: -

Party	Actual Allocation
Canvey Island Independent	32
Conservative	17
People's Independent Party	32
Independent Member Allocation	2
Total	83

With regard to membership of the Development Management Committee Members' attention was directed to the statutory guidance that full exchange of information between the Executive and the Committee taking the development control decisions was essential. The statutory guidance advised that the Council should consider including a member of the Executive on the membership of the Committee taking development control decisions although he or she should not be the Chairman of the Committee. The Constitution already stated that the Cabinet Member shall not be eligible to be the Chairman or Vice Chairman of the Committee.

Details of the Groups' wishes concerning the appointments had been circulated in an informal memorandum. The recommendations were formally Moved and duly Seconded: –

Resolved:

1. To make the appointments as set out in the following resolutions and confirm the allocations to the political groups as detailed.
2. To appoint the following Committees shown below.
3. To allocate and appoint the Independent Councillor to seats on the Wellbeing and Place and Communities Policy and Scrutiny committees
4. That the membership and the appointment of the Chairmen on committees shall be as follows

Committee	Councillors
Scrutiny Committee	<p>Canvey Island Independent: Thomas, Harvey Independent* allocated from Canvey Island Independent seats. Cllr Isaacs</p> <p>Conservative: Cllrs B. Egan, J Thornton</p> <p>People's Independent Party: Cllrs Bowker, Edwards, Jones</p>

Annual Council 17.5.2023

3 Canvey Island Independent* 2 Conservative 3 People's Independent Party	Chairman: Cllr Isaacs
--	------------------------------

Committee	Councillors
Environment PSC	Canvey Island Independent: Cllrs Campagna, J Payne, JA Payne Thomas. Conservative: Cllrs J Thornton, Walter People's Independent Party: Cllrs Ainsley, Edwards, Howlett, Lillis
4 Canvey Island Independent 2 Conservative 4 People's Independent Party	Chairman: Cllr Thomas

Committee	Councillors
Wellbeing PSC	Canvey Island Independent: Cllrs J. Payne, JA Payne, Withers. Conservative Cllrs Blissett, S, Mumford People's Independent Party: Cllrs Ainsley, Benson, Bizzell ,McCarthy-Calvert Independent Cllr Isaacs
3 Canvey Island Independent 2 Conservative 4 People's Independent Party 1 Independent Member allocated by Council	Chairman: Cllr Ainsley

Committee	Councillors
Place & Communities PSC	Canvey Island Independent: Cllrs Acott, Harvey, J Payne, Watson Conservative: Cllrs Hart, Skipp People's Independent Party: Cllrs Bowker, Dearson, Knott Independent * Cllr Isaacs
4 Canvey Island Independent 2 Conservative 3 People's Independent Party 1 Independent Member allocated by Council	Chairman: Cllr Acott

Annual Council 17.5.2023

Committee	Councillors
Audit	Canvey Island Independent: Cllrs Harvey, May Substitutes 2: Cllrs Acott, Thomas Conservative: Cllr A Thornton Substitutes 1: Cllr Hart People's Independent Party: Cllr Benson, Edwards Substitutes 2: Cllr Barton-Brown
2 Canvey Island Independent 1 Conservative 2 People's Independent Party and substitutes from each Group	Chairman: Cllr Harvey

Committee	Councillors
Licensing	Canvey Island Independent: Cllrs Acott, Anderson, Greig, May, Palmer, Taylor Conservative: Cllrs Hart, S. Mumford, Walter People's Independent Party: Cllrs Ainsley, Barton – Brown, T.Gibson, Jones, Knott, Savage
6 Canvey Island Independent 3 Conservative 6 People's Independent Party (any 3 members constitute a Sub Committee)	Chairman: Cllr Barton – Brown

Committee	Councillors
Development Management Committee	Canvey Island Independent: Cllrs: Acott, Anderson, Greig, Sach Substitutes 2: Cllrs Fuller, Withers

Annual Council 17.5.2023

	Conservative: Cllrs J.Thornton, Skipp Substitutes 2: Cllr A. Thornton People's Independent Party: Cllrs Barton-Brown, Bowker, Howlett, Lillis Substitute 2 Savage, Mountford
4 Canvey Island Independent 2 Conservative 4 People's Independent Party	Chairman: Cllr Bowker Vice Chairman: Cllr Greig

Committee	Councillors
Review	Canvey Island Independent: Cllrs Acott, Campagna, Grieg. Conservative: Cllrs B Egan, A Thornton People's Independent Party: Cllrs Bizzell, Savage
3 Canvey Island Independent 2 Conservative 3 People's Independent Party 2 Independent Persons	Chairman: Cllr Edwards

Committee	Councillors
Staff Appointments & Review	Canvey Island Independent: Cllrs Acott, Blackwell, Campagna Conservative: Cllr B Egan People's Independent Party: Cllr Gibson, Mountford, Savage
3 Canvey Island Independent 1 Conservative 3 People's Independent Party	Chairman: Cllr Blackwell

10. REPORT OF THE LEADER OF THE COUNCIL REGARDING APPOINTMENTS TO CABINET

A report was presented a report to Council which set out details of the Leader's appointment of Members to the Cabinet. The Leader would report in due course on their responsibilities.

Resolved – to note the report and the following appointments: -

Councillor Blackwell	Chairman – Leader of the Council
Councillor Fuller	Environment
Councillor T. Gibson	Special Projects
Councillor W. Gibson	Strategic Planning
Councillor Steven Mountford	Resources
Councillor Barry Palmer	Regeneration & Economic Growth
Councillor Mrs Sach	People – Health, Wellbeing & Housing
Councillor Savage	People – Community

11. APPOINTMENT OF MEMBERS TO SERVE ON OUTSIDE BODIES

Details of nominations for these appointments had been circulated separately.

Resolved - That the following Members be appointed representative on outside bodies.

Name of Body	Councillor
Age UK	Cllr P.J May
Air Training Corps (Canvey Squadron)	Cllr J. Anderson
Air Training Corps (Thundersley Squadron)	Cllr S. Mountford
Arts Ministry	Cllr B Campagna
British Red Cross Society (Essex Branch)	Cllr W. Gibson
Castle Point Association of Voluntary Services (2)	Cllr A. Acott
	Cllr R. Savage
Carers Choice (Castle Point Branch)	Cllr L. McCarthy-
Management Committee	Calvert
	Cllr S. Mountford
Jubilee Training and Welfare Centre Trust	Cllr G. Isaacs
Local Government Association	Leader of the
	Council
London Southend Airport Consultative Committee	Cllr M. Fuller
	(Sub) Cllr S
	Ainsley
Essex Pension Fund Strategy Board	Cllr M. Fuller
Relate South Essex	Cllr L. McCarthy-
	Calvert
Royal National Lifeboat Institution (Canvey Island Branch)	Cllr N. Harvey
Opportunities South Essex	Leader of the
	Council
Royal Voluntary Service	Cllr J.A. Blissett
Wyvern Community Transport	Cllr P May

Essex Police & Crime Panel
South Essex Children's Partnership Board

Civil Military Partnership Board (Veterans UK)

Cllr R. Savage
Cllr H. Barton-
Brown
Cllr P. Greig

12. DAY AND HOUR OF MEETINGS

Under this item this item the Cllr Mrs Egan, Leader of the Conservative Group congratulated the Mayor on her appointment and look forward to the coming year.

Resolved:

To approve the Calendar of Meetings for the Municipal Year 2023/2024. circulated separately.

Mayor



SPECIAL COUNCIL MINUTES

31st MAY 2023

MINUTES of the Special Meeting of the Council of the Borough of Castle Point held in the Council Chamber, Council Offices, Kiln Road, Thundersley, on Wednesday, 31st May 2023.

PRESENT:

Councillors, Ms L. McCarthy-Calvert (The Worshipful the Mayor), B. Campagna, (Deputy Mayor), A. Acott, Ms S.A Ainsley, Ms H.L Barton-Brown, Ms N. Benson, B. Bizzell, D. Blackwell, K. Bowker, M. Dearson, A. Edwards, Mrs. B. Egan, M. J Fuller, T.Gibson, P.C. Greig, N. Harvey, G.Howlett, G.I. Isaacs, Ms D. Jones, J. Knott, R. Lillis, P. May, S Mountford, Mrs. S. Mumford, B.A. Palmer, J.A. Payne, Mrs. J Payne, Mrs. C.J Sach, R. Savage, T.F. Skipp, D.J. Thomas, A. Thornton, Mrs. J Thornton, Walter, Mrs G Watson and G.St.J. Withers

Apologies for absence were received from Councillors J. Anderson, Mrs. J.A Blissett, W. Gibson, S. Hart, A. Taylor.

13. MEMBERS' INTERESTS

There were none.

14. TRANSFORMING TOGETHER – THE COUNCIL'S MODERNISATION PROGRAMME

Council received a report providing information to the Council regarding its transformation programme which would implement change and enable the modernisation of the Council

The Council needed to modernise to meet the needs and demands of its customers: the residents who live in the Borough, businesses who operate here and visitors who contribute to the growth of the local economy. This required an agile, skilled, and motivated workforce driving service provision which was customer focused and future proofed for a digital age set against a backdrop of continuing financial austerity. The report before Council described the key features of the Transformation (TT) Programme to address this.

The TT Programme would establish the appropriate target operating model and supporting organisational structure to enable the Council to achieve its desire to modernise the way it delivers its services to residents:

- Improve customer service through “digital by default” interactions and dealings with the Council where services explore first opportunities for

digital solutions provide to improve customer service and reduce costs of service provision e.g. by providing 24/7 access to certain services which can be delivered on-line and thereby freeing up capacity to respond to those who are not able to access on-line services.

- Introduce system and process improvements which will reduce the cost-of-service delivery; making sure the Council keeps services relevant and accessible to customers.
- Upskill and develop the Council's employees to embed new ways of working and deliver value for money alongside a financially sustainable medium term financial strategy with a commercial approach to income generation wherever possible.

Governance arrangements were described in the report. The Programme Review Board is a member-led forum, internal to the Programme which "owns" the Programme activity and oversees its delivery to time and to budget. It comprises the Leader, Deputy Leader, PFH Resources and PFH Environment. The Programme Review Board would meet quarterly to receive reports from the Programme Delivery Team as to progress and agree when individual project activity is ready to take forward to formal decisions through existing corporate governance e.g. approval of invest to save or invest to earn business cases. The Programme Review Board would provide quarterly updates to the Cabinet.

The Programme Delivery Team is an officer forum which manages the delivery of the work underpinning the TT Programme. The Programme Delivery Team is led by a Senior Responsible Owner (SRO) supported by a Programme Manager, who is accountable for ensuring the TT Programme meets its objectives, delivers the projected outcomes, and realises the required benefits. The Programme Manager is also responsible for producing and maintaining central core programme documentation, including the project plan, risk register and benefits tracker. The Programme Manager is a contractor working 3 days per week (on average) and has been contracted for a total of 150 days via the East of England Talent Bank.

Membership of the Programme Delivery Team is comprised of the SRO, the resources who are leading the relevant workstreams, representatives from HR, finance and legal together with such additional officers as are required from time to time e.g. subject matter experts. The Programme Delivery Team will meet monthly and reports to the Programme Review Board.

The Council's Staff Appointments and Review Panel also has a role to play in the wider corporate governance of the TT Programme in relation to strategic workforce/people matters. The TT Programme will report to the Panel to provide oversight of all organisation wide strategic people changes arising from the delivery of the Programme, for example, where there are aspects of organisational pay policy and strategy, Human Resources related policies and procedures, appointments of Chief Officers, changes to employee terms and conditions, or variations to the establishment where these affect a number or group of officers. The Panel would particularly oversee the roll out of job evaluation across the organisation.

The TT Programme comprise four workstreams which run concurrently:

- Organisation Re-design Workstream
- New Ways of Working Workstream
- Workforce Development Workstream
- Communications & Engagement Workstream

The report considered the financial implications of the Programme.

The Council has earmarked reserves totalling £1.14m available to fund the TT Programme. In addition, there is a separate £100k per annum within the revenue budget as a contingency for implications arising from the proposed NJC single status job evaluation scheme.

The Section 151(s151) officer has delegated authority to withdraw funds from earmarked reserves. However, the s151 will only do so where the proposed spend is in line with the purpose of the earmarked reserve and there is clear rationale or a business case which supports the withdrawal.

In addition to the already available reserves and budget, it is expected that many of the business cases being brought forward will identify cashable savings. Where those savings fall into a future financial year, they will be factored into the Medium-Term Financial Strategy and used to reduce budget gaps in future years. If there is a cashable saving in the current financial year, that can be used to offset implementation costs. For example, any savings on staffing arising from the Organisation Redesign in 2023/24 can be used to offset any redundancy and associated costs incurred to unlock those savings.

Restructuring the layers of management is likely to create circumstances in which individuals are displaced which in turn creates employment law rights and obligations on the Council. Any redundancy and financial strain on pension payments arising will be made in compliance with the Council's Redundancy Policy and will comprise only the statutory and contractual payments which the Council is legally obliged to pay (which could potentially include redundancy payments, pension strain, and payments in lieu of notice). Some of these legally required payments (which do not include any discretionary sums) could exceed £100k, however it is anticipated that the reserves and budgets already agreed and allocated by full Council will be adequate to address all of the potential payments.

Guidance issued under section 40 of the Localism Act 2011 on pay transparency (and to which the Council must have regard) states that full Council should be offered the opportunity to vote before severance payments over £100k are approved (this is reflected in the Council's Pay Policy Statement).

As stated above, any severance payment will comprise only the statutory and contractual payments which the Council is legally required to pay – the payments will not include any discretionary sums.

To that end, Council is recommended to agree to the payment of legally required statutory and contractual severance in relation to any redundancies that may arise from the Organisation Redesign workstream which may exceed £100k.

Any statutory and contractual redundancy payments of less than £100k will be dealt with in accordance with the Council's scheme of delegation.

As the TT Programme progresses, should the scale and cost of change indicate that the funding available will be exceeded, additional funding could be made available either from the General Reserve or by repurposing other earmarked reserves. Such action would need to be supported by robust business cases clearly demonstrating the benefits of the proposal and the appropriate governance being undertaken at the time.

Resolved –

(1) That the contents of this report are noted including that appropriate provision has been made in the Council's budgets and reserves to fund the Transforming Together Programme.

(2) That the Council agrees to the payment of legally required statutory and contractual severance in relation to any redundancies that may arise from the Organisation Redesign workstream which may exceed £100k

15. REVIEW OF ELECTORAL ARRANGEMENTS - UPDATE

The report before Council set out the action taken further to the meeting of Ordinary Council on 22 March 2023 where the final recommendations of the review of the electoral arrangements in Castle Point Borough Council were discussed, resulting in a Motion that received unanimous support from elected members.

Council had agreed that :

Full Council should take the following steps to respond to the sentiments being heard from our residents and from councillors in the Chamber tonight:

- a. Legal opinion from a top barrister to tell the Council how it can force the Boundary Commission to look at the report and recommendations again*
- b. Chief Executive to write to the Boundary Commission with strong objections to the cutting of West Ward and reduction of councillors on Canvey Island*
- c. Follow up report at the next Council meeting with an update on legal advice given about stopping the changes and to get an update from the Chief Executive regarding the objections sent to the Boundary Commission*

On 27 March 2023, the Chief Executive of Castle Point Borough Council, wrote to the Chief Executive of the Commission setting out each of the issues raised by elected members, requesting that the Commission revisits and reconsiders its

final recommendations in advance of the scheduled laying of the draft Order before Parliament on 10 May 2023.

A response to this letter was received on 20 April 2023. In the letter's conclusion, the Commission informed that

"Now that the review is complete, the recommendations cannot be amended by the Commission and the next step will be to lay a draft order in Parliament. We intend to do this before the summer recess, and we will inform the Council when the draft order has been laid."

On 17 April 2023, the Solicitor to the Council, contacted Messrs Sharpe Pritchard Solicitors, experts in Local Government and Constitutional Law, expressing that the Council wished to instruct them to advise and possibly represent the Council in relation to a possible Judicial Review challenging the Commission's recommendations. An initial meeting was held with Sharpe Pritchard on 27 April 2023 where it was agreed that they would provide the Council with a formal written advice which would be approved by Leading Counsel, a barrister expert in Local Government and Constitutional Law.

It was also agreed that they would write to the Commission to attempt to delay the laying of the draft order before Parliament in order to give the Council time to consider its position. Their letter was sent on 4 May 2023.

Councillors were provided with an update on matters, including copies of the two letters referenced above.

A response was received from the Commission on 11 May 2023, informing Sharpe Pritchard they are not prepared to wait until the Autumn before laying the draft order in Parliament and still intend to do that before the summer recess. The Commission, in the same letter, informed Sharpe Pritchard that they will let the Council know in advance when they plan to lay the order. The Commission's response as before Council.

On 19 May 2023, the Chief Executive was informed by the Chief Executive of the Commission that the Order was to be laid on 23 May 2023. On 23 May the Council was notified that

'the Commission has today laid the draft order in both Houses of Parliament which seeks to legally implement the final recommendations for Castle Point at the council elections in 2024.

Formal advice was received from Messrs Sharpe Pritchard Solicitors prior to the meeting and circulated separately as Private business as the note contained Exempt Information under Paragraph 12 Schedule 12A Local Government Act 1972 as amended – advice regarding legal proceedings. Discussion took place in as private business following which the meeting resumed under Part I.

Resolved –

Special Council 31.5.2023

- a) That Council notes the action taken following the Motion raised and supported unanimously by elected members at their meeting of Ordinary Council on 22 March 2023;
- b) That the MP for Castle Point use relevant Parliamentary Procedures to object to The Castle Point Electoral Changes Order 2023

Mayor

ORDINARY COUNCIL

26th July 2023

Subject: Questions from Member of the Public

1. Purpose of Report

To present to Council Notice of Questions from received residents to be put to the Leader of the Council for response at this meeting.

1. Questions to the Leader of the Council

From Sean Quartermaine:

Question 1

"Will your administration commit to reinstating the Canvey Island Third Road Task Force, with public meetings, and provide regular updates at each future full council meeting regarding its progress?"

Question 2

"Will your administration commit to providing a significant number of council houses in your new local plan, both to clear the current waiting list and to also address decades of a deficiency in council house supply in Castle Point?"

2. Question to the Leader of the Council

From Chas Mumford :

Following the tragic and distressing loss of wildlife at Canvey Lake last Summer, there now appear to be signs of a potential recurrence this year. Will the Leader of the Council take this opportunity to update the Council and residents of the Borough as to what actions this Authority has taken to date, as landlord, to ensure Canvey Town Council, as Tennant(sic), is abiding by the terms and conditions of the lease as signed in 2010 and furthermore give details of plans and timescales to ensure Canvey Lake capable of fulfilling its function both as a major water retention facility for Canvey Island and as a wildlife haven for the enjoyment of residents.

3. Question to the Leader of the Council

From Ms Jo-ann Davis :

As residents impacted by what was HO10 in the now withdrawn local plan, we have worked for over a decade with various administrations to protect this precious green belt land from unwanted development.

The site is particularly susceptible to overdevelopment due to its make up of numerous individual plots under multiple ownership, with no overall control of the entire site as a whole. Each landowner is seeking to maximise development, and consequently profit, on their own particular portion of land. We know from previous Local Plan hearings that individual landowners are trying to significantly increase housing numbers on this wooded, GB and designated Local Area Wildlife site, a home to deer, badgers and many other woodland creatures.

As Residents, we were mindful of the fact that some redevelopment of the site was highly likely and worked hard with the previous administration to limit numbers and mitigate harm. The withdrawn LP therefore significantly reduced the allocated numbers on site from 200 down to just 89, doubled the land allocated as Local Area Wildlife Site designation and sought to protect the integrity of the existing bridleways, pathways and lanes. It also insisted on the council controlling the master planning of the site to protect its overall integrity of the whole site and avoid an uncoordinated piecemeal result caused by speculative overdevelopment of the individually owned plots.

However, following the withdrawal of the LP, the site has already become susceptible to speculative development, as seen with the recent submission of the application for 47 extra houses on one such plot along Felstead Road, and we are worried that this is only the beginning.

What reassurances can the leader give us that following the withdrawal of the LP the council has sufficient protections in place and can the leader please confirm that:

a) that the council retains a legal mechanism to control a master planning of the entire site following the withdrawal of the Local Plan to protect it from speculative uncoordinated overdevelopment?

b) whether the council's ability to defend an Application on Appeal by using prematurity has been lost following the withdrawal of the Local Plan?

4. Question to the Leader of the Council

From Jack Fortt:

“At the full council meeting on 22nd March of this year, Cllr Lillis, then a member of the public, asked the following question: ‘Can the Leader of the Council confirm that had the Local Plan not been withdrawn it would have left our Borough in an even more vulnerable position to developers, as applicants could have used the sound non-adopted plan as strong evidence to support their speculative applications on our precious Green Belt?’, in part of his response, Cllr Blackwell stated that “developers will as expected seek to justify development by referring to

the old plan or the evidence base, but the withdrawn plan is not a material consideration on appeal to the planning inspector". Can Councillor Blackwell explain why the Council agreed in it's Statement of Common Ground with Legal & General for the appeal to build on Green Belt in Hart Road, under the section marked "Material Considerations", there was a subsection entitled the 'Withdrawn Local Plan', that included the following, "It is agreed that many of the evidence base documents remain relevant as does the Examining Inspector's post hearing letter of the 6th September 2021 and his later Report dated 3rd March 2022"? Furthermore can he confirm that in any future planning appeals by developers on Green Belt sites until the new local plan becomes a material consideration itself, if the Council will agree again to include evidence from the withdrawn local plan, and would he like to revise is comments made in response to Cllr Lillis on 22nd March."

ORDINARY COUNCIL

26th July 2023

Subject: Questions from Councillors

1. Purpose of Report

To present to Council Notice of Questions from received from Councillors under Council Procedure Rule 9.2 to be put at this meeting.

1. Question to the

From Councillor Mumford :

“ Following the announcement of the £140,000 Public Realm and Play Spaces Funding, earlier this year, I worked with local residents to submit a bid for grant funding to fulfil their request for an outdoor gym at Tarpots Recreation Ground.

When the Council announced the successful bids on the 23rd March, the Council did agree that additional facilities are needed at this spot and whilst my application was initially declined, the Council stated that they would like to test public opinion before making a final decision.

I have now received email confirmation that my request, on behalf of residents, for an outdoor gym has been refused.

Can the leader please confirm how they have gone about testing public opinion on the outdoor gym, and what progress has been made?

Can the leader also confirm how much of the £140,000 has been paid out to date and on what projects and when the second round of applications will be considered? “

2. Question to the Leader of the Council

From Councillor Walter :

I refer to my previous Motion to Council concerning the replacement of the Borough's Air Quality Environmental Monitoring Station and would like to ask what progress has been made on this.

3. Questions to the Leader of the Council

From Councillor Mrs J Thornton :

Question One - Banking Hub

It has been a full year since I submitted a motion this council to explore the provision of a Banking Hub in Hadleigh to counter the impact on its residents and business community after the closure of its last bank. Following the Independent Party Members taking control of the motion via their amendment, I have heard nothing back as ward councillor from this administration, despite unanimous support for the motion in the chamber.

At a recent meeting with the local business community, I was informed that this issue is seriously impacting on footfall and their viability. Therefore, can I ask on their behalf, what action has been taken since this motion was passed to begin this work, when it was started and how it is progressing?

Question Two - Climate Action Forum

Can the leader please give an update on whether the Climate Action Forum has now met, and if not, can the leader please explain why he has not reinstated it, or an equivalent, as promised?

ORDINARY COUNCIL

26th July 2023

Subject: Transformation – Review of the Constitution

Report of: Chief Executive – Angela Hutchings

- 1. Purpose of Report**
To note arrangements to review the Constitution as part of the Council's Transformation Programme.
 - 2. Links to Council's Priorities and Objectives**
This links to all and particularly as Enablers.
 - 3. Recommendations**
 - 1. To approve arrangements to review the Constitution as set out in this report.**
 - 2. To make the necessary arrangements to convene an Independent Remuneration Panel to review the Members ' allowances scheme.**
-

4. Background

- 4.1** It is a requirement of the Local Government Act 2000 as amended that the Council publishes and maintains a formal document setting out the constitutional and governance arrangements for the Council.
- 4.2** This report is presented to the Council by the Chief Executive having responsibility as set out under Article 13 of the Constitution to report to Council on changes to the Constitution.

5. Report

- 5.1** An update of the Constitution was approved at Ordinary Council on 30th November 2022.
- 5.2** The Council has entered a period of transformation to meet the operational and budgetary challenges it faces. In moving forward with the modernisation of the Council, a review of the Council's organisational structure and decision-making accountability is being undertaken. Members will also be aware that the Castle Point (Electoral Changes) Order 2023 has been made which

means that a new council will be formed following elections in 2024. Taken together it is timely to undertake a review and update the Constitution as in view of the changes to be made to the Constitution.

- 5.3 For example as a result of the changes to the Council's organisational structure which are to be effective from 1st November 2023 it will be necessary to overhaul the Register of Delegated powers to Officers reflect the new structure. The opportunity will also be taken in reviewing the Council 's decision making structure to consider delegations to the Leader and Cabinet Members always mindful to ensure transparency of decision making.
- 5.4 The review will be led by the Chief Executive, working with officers with subject specific knowledge and engaging with all Members. In particular, the Chief Executive will work with the Scrutiny, Audit and Review Committees to review specific aspects of the Constitution which relate to those committees and their responsibilities as part of the Council's decision-making structure, including the terms of reference of those committees. Once a final draft has been completed, it will be presented to Full Council for adoption.

Members Allowances

- 5.5 With a new Council to be formed in May 2024 and it is some time since a formal review of the Members Allowances Scheme has been undertaken (2015), Council may consider that the Scheme of Members Allowances should be reviewed mindful that under the current scheme the Basic Allowance received by all Members is the lowest in Essex.
- 5.6 If Members wish to review the Scheme of Allowances it will be necessary to convene an Independent Remuneration Panel to make recommendations and report to a future meeting of the Council.

6. Corporate Implications

(a) Financial Implications

The Constitution sets out the Council's Financial Regulations and the authorisation which exists with respect to all finance, contract, and legal matters.

Provision of £40,000 has been made in the current year budget to support the review of the constitution and to ensure that this important task is appropriately resourced.

For Members' allowances, an estimate of the potential increase has been built into the draft 2024/25 budget (and beyond) and therefore does not increase the forecast budget gap. Should the eventual allowances scheme vary from the estimated value, this can be addressed through the budget setting process later in the year.

(b) Legal Implications

Changes to the Scheme of Allowances can only be made having regard to recommendations from the Independent Remuneration Panel. Any other implications are addressed in the report.

(c) Human Resources and Equality Implications

There are none to be addressed in the report.

(d) IT and Asset Management Implications

There are none to be addressed in the report.

7. Timescale for implementation and Risk Factors

It is planned to complete the Review and present a New Constitution to the Council for adoption in the late autumn/winter.

8. Background Papers

Included with the report.

Report Author: Angela Hutchings Chief Executive

ORDINARY COUNCIL

26th July 2023

**Subject: Consultation Response to Essex County Council
Electoral Review**
Cabinet Member: Councillor Blackwell - Leader

1. Purpose of Report

- 1.1 This report sets out the proposed response from the Council to the current stage of consultation in the review of electoral arrangements of Essex County Council by the Local Government Boundary Commission for England.

2. Links to Council's Priorities and Objectives

- 2.1 Although the review is of the electoral arrangements of Essex County Council, changes to these arrangements could impact on Castle Point Borough Council's ability to deliver its priorities and objectives, and so this report links to all.

3. Recommendations

- 3.1 To approve for submission the consultation response included in Appendix 1.
-

4. Report

- 4.1 The Local Government Boundary Commission for England (the Commission) is currently undertaking a review of the electoral arrangements at Essex County Council (ECC). All of the information relating to the review can be found at <https://www.lgbce.org.uk/all-reviews/essex>
- 4.2 As with the review in Castle Point, an electoral review examines and proposes new electoral arrangements for a local authority. A local authority's electoral arrangements decide:
- How many councillors are needed;
 - How many wards or electoral divisions there should be, where their boundaries are and what they should be called; and
 - How many councillors should represent each ward or division.
- 4.3 When carrying out an electoral review the Commission has three main considerations:

- Improving electoral equality by equalising the number of electors that each councillor represents;
 - Ensuring that the recommendations reflect community identity; and
 - Providing arrangements that support effective and convenient local government.
- 4.4 The Commission has reached a view, based on a written submission about council size submitted by ECC to the Commission, that the number of county councillors should increase from 75 to 77. Considering the detail of ECC's submission on council size (https://www.lgbce.org.uk/sites/default/files/2023-03/essex_cc_council_size_submission.pdf), the proposal made on page 28 is to increase the number of councillors by one in each of Harlow, Maldon and Uttlesford and to remove one councillor from Castle Point.
- 4.5 The argument for this relates to addressing electoral inequality in Harlow, Maldon and Uttlesford due to predicted future housing growth and conversely that, because of the low level of housing growth in Castle Point, the Borough does not need as many county councillors.
- 4.6 It should be noted that at a meeting on 27 June 2023 with three of the five county councillors representing the divisions in the Castle Point Borough, it emerged that ECC will be writing to the Commission seeking a revised council size of 78, further to receipt of finalised expected housing figures. This proposal was taken as a recommendation in a report to Full Council at ECC on 11 July 2023 and was agreed at that meeting.
- 4.7 However, and notwithstanding the change in ECC's position on council size, the "Initial Consultation" stage of the review is the first opportunity for the Council to make representations about the proposals made in ECC's council size submission, specifically about the proposal from ECC to remove one county councillor from Castle Point. This version of the submission on council size remains on the Commission's website and the report to Full Council at ECC refers to revised housing number forecasts as the reason for revising the number of county councillors, not the need to maintain five county councillors in the Castle Point Borough.
- 4.8 Therefore, it is recommended that the Council's response to the consultation sets out the implications of such a change because should the Commission not accept ECC's request to revise council size to 78 there remains the possibility that the number of county councillors in the Borough could change. This stage of consultation is also to collect views about local communities to assist the Commission to decide where to draw new boundaries if they think necessary. The proposed response in Appendix 1 also includes some detail about the communities in Castle Point. The Council has until 31 July 2023 to respond to this stage of the consultation.

5. Corporate Implications

Financial implications

Any changes to the electoral arrangements at ECC have financial implications as electoral systems will need to be updated to ensure that any elections held from May 2025 are done so under the new arrangements. The Council receives funding from ECC to run the county council elections and funding amounts should be reviewed and challenged to ensure that they cover additional work required as a result of this review.

A reduction in the number of county councillors representing the Castle Point Borough could reduce the amount of funding for projects in the Borough where such funding is assigned on a “per county councillor” basis.

Legal implications

Once the final recommendations from the Commission’s review of electoral arrangements at ECC have been laid before Parliament, ECC is obliged to follow these as they will have become law.

Human resources implications

Implementation of the recommendations may require more human resources, particularly for the first set of elections under new arrangements in May 2025. These will be explored in more detail as planning for the elections commences.

Equality implications

There are no identified equality implications in the review. However, when planning for elections under the new arrangements, the Council will give full regard to equality implications as is always required when running elections.

Timescale for implementation and risk factors

The deadline for submitting a response at this stage of the consultation is 31 July 2023.

The remaining stages of the review are set out in the table below:

Division Patterns

Activity	Involvement		Key Dates
	Council	LGBCE	
Consultation on division patterns	Council Political Groups General Public	Run consultation, collate & analyse responses.	28 March 2023 to 31 July 2023
Commission meeting: Draft recommendations	Not required	Commission	14 November 2023
Consultation on draft recommendations	Council Political Groups General Public	Publish draft recommendations. Run consultation, collate & analyse responses.	28 November 2023 to 19 February 2024
Commission meeting: Final recommendations	Not required	Commission	21 May 2024
Final recommendations published	Not required	Publish final recommendations	4 June 2024

Order

Activity	Involvement		Key Dates
	Council	LGBCE	
Order laid	Not required	Commission	Summer 2024
Order made	Not required	Commission	Autumn 2024
Implementation	Council	Not required	May 2025

6. Conclusions

- 6.1 It is important that the Council engages with the Commission's review of electoral arrangements at ECC as this has a direct impact on the representation of the Castle Point Borough at ECC through the elected county councillors.
- 6.2 Council should note the contents of this report for context and approve the proposed submission to the Commission, included in Appendix 1.

Report Author: Ben Brook – Strategy, Policy and Performance Manager

Appendix 1 – Proposed consultation response to the Commission’s review of the electoral arrangements of Essex County Council

1. Introduction

- 1.1 This consultation response has been prepared by Castle Point Borough Council (‘the Council’) and at the Ordinary Council meeting on 26 July 2023 received formal approval for submission to the Local Government Boundary Commission for England (‘the Commission’).
- 1.2 The response covers two aspects. The first relates to the council size proposal for 77 county councillors as decided by the Commission on 28 March 2023. The second relates to the communities in Castle Point and is intended to assist the Commission when deciding on the new pattern of electoral divisions.
- 1.3 The Council understands that further to resolution at ECC’s Council meeting on 11 July 2023, ECC will be writing to the Commission to request that the number of county councillors under new arrangements is increased to 78 from the 77 proposed in their original submission about council size. This further increase in county councillor numbers is supported by the Council, especially in light of wording in ECC’s submission about council size and the proposal to remove one county councillor from the Castle Point Borough. The Council hopes that changes to ECC’s position have been made in order to avoid the need to remove one county councillor from Castle Point. However, this is not guaranteed and so this consultation response sets out a number of reasons why such a proposal would not work.

2. Council size proposal

- 2.1 The submission from ECC proposes (on page 28) to increase the number of councillors by one in each of Harlow, Maldon and Uttlesford and to remove one councillor from Castle Point.
- 2.2 The argument for this relates to addressing electoral inequality in Harlow, Maldon and Uttlesford due to predicted future housing growth and, conversely, that because of the low level of housing growth in Castle Point, the number of county councillors representing electors in the Borough can fall from 5 to 4 councillors.

Variance from the average

- 2.3 Analysis of variance from the average number of electors per councillors has been undertaken and is available to download from the Commission's website. This analysis has been done on a electoral division basis and reveals areas of electoral inequality both within and across district-level areas in the administrative county of Essex.
- 2.4 The Council has used this data to carry out an analysis of variance from average electorate per councillor on a district basis. The analysis looks at the position in 2022 and in 2029 assuming the number of councillors remains at the

current 75 county council. The analysis then also looks at the impact on electoral equality with the addition of one county councillors in each of Harlow, Maldon and Uttlesford, together with the removal of one county councillor in Castle Point. Table 1 below shows this analysis. Numbers highlighted in yellow are where the variance is more than +/- 10% from the average.

Table 1 – Analysis of variance from average electorate per councillor by district-level council

Council	District-level variance from average electorate for cllr in 2022	District-level variance from forecast average electorate for cllr in 2029	District-level variance from forecast average electorate for cllr in 2029 <i>if proposed additions / reductions to no. of cllrs is implemented</i>
Basildon	3%	2%	
Braintree	-3%	-4%	
Brentwood	0%	3%	
Castle Point	-7%	-12%	13% (with -1 county councillor)
Chelmsford	-2%	-2%	
Colchester	2%	1%	
Epping Forest	-6%	-6%	
Harlow	7%	18%	-3% (with +1 county councillor)
Maldon	13%	17%	-10% (with +1 county councillor)
Rochford	-9%	-12%	
Tendring	-2%	-3%	
Uttlesford	17%	19%	-2% (with +1 county councillor)

Note: Source data downloaded from <https://www.lgbce.org.uk/all-reviews/essex>
Electoral Figures (updated 4 April 2023)

- 2.5 When looking forward to 2029, Harlow, Maldon and Uttlesford (as a result of forecast housing growth) have significantly more electors per councillor than the average for the county. Both Castle Point and Rochford have the lowest

number of electors per county councillor both in 2022 and when forecasting to 2029.

- 2.6 Whilst the proposal to increase the number of county councillors in areas where the number of electors per county councillor is already lower than average and exacerbated by forecast housing growth to 2029, the impact of removing one county councillor from Castle Point is a significant swing from 12% less than the average electors per councillors to 13% more than the average electors per councillor. In other words, moving from over-representation to under-representation in Castle Point. Furthermore, Rochford is left unchanged and remains with the lowest number of electors per county councillor in 2029 (and at the same percentage from the average as Castle Point remaining with 5 county councillors).

Impact on a division-by-division basis

- 2.7 If the recommendation were made to remove one councillor from Castle Point, there is a significant challenge deciding which existing division to remove that councillor from due to the impact on electoral equality within the Castle Point Borough. Table 2 below shows the variance on a division-by-division basis in 2022 and when the electorate is forecast to 2029. Numbers highlighted in yellow are where the variance is more than +/- 10% from the average and those highlighted in red where the variance is more than +/- 20% from the average.

Table 2 - Analysis of variance from average electorate per councillor by division in Castle Point

Name of division	Number of cllrs per division	Electorate 2022	Variance 2022	Electorate 2029	Variance 2029
Canvey Island East	1	15,060	1%	15,840	-4%
Canvey Island West	1	14,123	-5%	14,681	-11%
Hadleigh	1	14,365	-4%	15,059	-9%
South Benfleet	1	13,514	-9%	14,155	-14%
Thundersley	1	12,259	-18%	12,920	-22%

Note: Source data downloaded from <https://www.lgbce.org.uk/all-reviews/essex>
Electoral Figures (updated 4 April 2023)

- 2.8 Presently, all but Canvey Island East division have a lower-than-average number of electors per county councillor. By 2029, all divisions will have a

lower-than-average number of electors per county councillor, with the largest variances in South Benfleet and Thundersley.

- 2.9 Removing one county councillor from Canvey Island would result in a single county councillor representing over 30,500 electors (90% higher than – almost double – the countywide average number of electors per county councillor). Removing one county councillor from the rest of the Borough also leaves each of the two remaining county councillors representing over 21,000 electors (31% higher than the countywide average number of electors per county councillor).
- 2.10 Other patterns of new divisions – with 4 rather than the current 5 divisions – present the same problem the Council encountered in its own review of not having divisions which take in parts of Canvey Island and the mainland (i.e. with the creek running down the middle). This point about communities is made in more detail later in this submission.

3. Communities in Castle Point

- 3.1 The Castle Point Borough is made up of four distinct urban settlements, each with their own identities; Canvey Island, South Benfleet, Hadleigh and Thundersley. Any division patterns should be based around these four areas as residents most closely identify with these. Furthermore, Canvey Island is distinct from the mainland, with a hard border formed by Benfleet Creek, and both from a practical and community perspective a division including part of Canvey Island and South Benfleet would not work.
- 3.2 There are three caravan/mobile home parks in the Borough – Kingsleigh Park, Kings Park Village and Sandy Bay Park/Thorney Bay Park – where there is potential for housing units to be moved within the boundaries of these sites and so proposed divisional boundaries should not run through these sites.
- 3.3 Further to the Commission's review of Castle Point's electoral arrangements, due for implementation from May 2024, there is an opportunity to adjust the existing divisional boundaries of South Benfleet, Hadleigh and Thundersley divisions to create coterminous boundaries with the new wards in Castle Point to help support effective and convenient local government as well as potentially to help correct current and forecast variances from the average electors per councillor.

4. Conclusion and summary

- 4.1 The number of county councillors representing the Castle Point Borough should remain at five for the following reasons:
 - 1) The variance from the forecast average electorate per county councillor in 2029 is -12% for both Castle Point Borough and the Rochford District, yet there is no proposal from Essex County Council to remove one county councillor from the Rochford District;
 - 2) The proposal to remove one county councillor in the Castle Point Borough results in 18,164 electors per county councillor by 2029 which is 13%

higher than the average forecast number of electors (16,054) per county councillor across the county of Essex;

- 3) The drawing of new divisional boundaries in the Castle Point Borough with four county councillors presents significant challenge in order to arrive at electoral equality across four divisions, not least because of the hard boundary between Canvey Island and the rest of the Borough:
 - a) Removal of one county councillor from Canvey Island would result in one county councillor representing an electorate of over 30,500 by 2029 (90% higher than – almost double – the countywide average number of electors per county councillor);
 - b) Redistribution of electors in the rest of the Borough across two county council divisions would result in each county councillor representing an electorate of over 21,000 (31% higher than the countywide average number of electors per county councillor).

4.2 The following points should be noted about the communities in the Castle Point Borough when designing a new divisional pattern as part of the review:

- 4) There are four distinct urban settlements, each with their own identities; Canvey Island, South Benfleet, Hadleigh and Thundersley. Any division patterns should be based around these four areas as residents most closely identify with these;
 - 5) New divisional boundaries should not run through the caravan/mobile home sites in the Borough as there is potential for homes to be moved within the boundaries of these sites;
 - 6) New divisional boundaries should, wherever possible, be coterminous with the new Castle Point Borough Council ward boundaries from May 2024.
-

ORDINARY COUNCIL

26TH JULY 2023

Subject: Notices of Motion

1. Purpose of Report

To present to Council valid Notices of Motion received for consideration at this meeting.

1. Councillor Skipp has given notice of the following:

"Castle Point Borough Council acknowledges that speaking in objection to a planning application brought forward by a Councillor at this authority during a Development Control Committee meeting could be very daunting. With this in mind the Council calls upon the Chief Executive to bring a report to the next full council meeting with the necessary changes to the constitution and procedures of the Council to allow the option in these circumstances for the Chief Executive to read out a speech prepared by an objector or group of objectors, on their behalf at Development Management Committee meetings."

The Motion is to be seconded by Councillor Mrs Thornton.

ORDINARY COUNCIL

26th July 2023

**Subject: Recommendations to Council -
Transforming Together - Outcome of Tier 2 Organisation
Restructure.**

- 1. Purpose of Report**
To present the outcome of the reorganisation of Tier 2 of the organisation and secure agreement to the recommendations of the Head of Paid Services/Chief Executive.
- 2. Links to Council's Priorities and Objectives**
This item has links to all Council priorities and objectives.
- 3. Recommendations**

That the Council:

- 1. Approves the dismissal by means of redundancy the individuals identified in Confidential Appendix A.**
 - 2. Notes the dismissal by means of redundancy of the individuals identified in Confidential Appendix B.**
 - 3. To approve the appointment of Lance Wosko, to carry out the duties and responsibilities of the Section 151 statutory officer on an interim basis with effect from 7 August 2023 for a period of up to three months pending the commencement of the appointment of a permanent replacement.**
 - 4. To approve the appointment of Jason Bishop, to carry out the duties and responsibilities of the statutory monitoring officer on an interim basis with effect from 14 August 2023 for a period of up to three months pending the commencement of the appointment of a permanent replacement.**
-

4. Background

- 4.1** This report comes to Council as part of the Transforming Together transformation programme the details of which are set out in the report to Council dated 31 May 2023.
- 4.2** The 31 May 2023 report stated the key drivers for the Transforming Together transformation programme. The Council needs to modernise to meet the needs

and demands of its customers: the residents who live in the Borough, businesses who operate here and visitors who contribute to the growth of the local economy. This requires an agile, skilled, and motivated workforce driving service provision which is customer focused and future proofed for a digital age set against a backdrop of continuing financial austerity.

- 4.3 The findings of the Local Government Association's Decision-Making Accountability ("DMA") review of the Council's workforce is a fundamental premise of the programme. The findings of the review are summarised in the 31 May 2023 report and form the basis of the restructure at Tier 2. One of the primary findings of the LGA was that in some areas there are too many layers (or tiers) of management so frontline staff are too far away from the Chief Executive role with up to 6 layers/tiers between them. Their feedback is that this leads to hold-ups, bottlenecks and staff working in siloes. They report that it also means that decisions can be made too slowly and ineffectively, with what feels like lots of red tape and some things not being progressed. The ratio of front-line staff to managers is very low in places and this creates hierarchies that are not needed and a lack of resources on the front line.
- 4.4 Other key findings of the DMA review was around silo working, poor information sharing, fragmentation of culture; a lack of understanding of roles and responsibilities and poor communication have informed the decision to reduce the number of roles at Tier 2 from 7 to 3. The new Director job descriptions place significant reliance on the postholders to demonstrate collaborative working, leadership of culture and a clear allocation of roles and responsibilities.
- 4.5 The restructure of Tier 2 is the first step in reducing the numbers of layers. A proposal for a new organisation structure and Chief Officer roles at Tier 2 (direct reports to the Chief Executive) was shared with the 7 members of staff who are directly impacted. A formal redundancy consultation commenced on 24 May 2023 for a period of 28 days, closing on 20th June 2023.
- 4.6 Following the conclusion of the consultation, the final Tier 2 organisation design was finalised and is as shown below:



- 4.7 To implement the new structure, the seven existing roles will be deleted from the establishment. The 3 new Director roles are substantially different roles to

those that currently exist and so are not a job match for any existing Tier 2 role. Therefore, all existing postholders are at risk of redundancy.

5.0 Report

Voluntary Redundancy

- 5.1 With the level of reduction from 7 posts to 3 posts in the new Tier 2 organisation structure, applications for voluntary redundancy were invited.
- 5.2 Notwithstanding that individuals have voluntarily applied for redundancy; the law treats this as a dismissal. Reference to these redundancies as dismissals does not imply any culpability on the part of the individual employees.
- 5.3 4 applications for voluntary redundancy were received and considered. Whilst the upfront cost of this voluntary redundancy is in the order of £780,000 (which includes pension strain cost of £470,000), the Council will no longer be required to fund salary and on-costs for these positions and details of the payback period are provided in the Financial Implications section of the report.
- 5.4 In accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 ("the 2001 Regulations") before a dismissal for redundancy of a Chief Officer (as defined in para 5.3 of the 2001 Regulations) can be agreed, it is necessary for there to be a consultation with the Executive. This consultation process requires notice of the name of the person being proposed for dismissal for redundancy to be given to every member of the Executive of the Council - i.e., the Cabinet. The purpose of the process is to give Cabinet members the opportunity to object to the redundancy proposals.
- 5.5 The Executive consultation period ran for a period of 7 days commencing on the 28 June 2023. No objections to the proposed dismissals for redundancy were received.
- 5.6 Statutory provisions in the 2001 Regulations states, that the power to approve the appointment or dismissal of the Monitoring Officer or the Section 151 Officer shall be exercised by full Council.
- 5.7 In accordance with Part 3 of the Constitution, the approval for dismissals by means of redundancy of other Chief Officers (i.e., those on National Joint Council Services and the National Agreement on Pay and Conditions of Service (Green Book)) is a matter for the Chief Executive with approval from the Section 151 Officer. Details of these redundancies are nonetheless shared with full Council for reasons of transparency.
- 5.8 Approval from the Deputy Section 151 Officer has been given for those Chief Officers on terms of employment outlined in paragraph 5.6 above. The Deputy Section 151 Officer acted in the absence of the nominated Section 151 Officer because that postholder is one of the individuals impacted by the new Tier 2 organisation.
- 5.9 Calculated in line with the Council's redundancy policy, the total cost of the voluntary redundancies is £782,350 which includes £471,014 pension strain

where applicable. The pension strain is paid direct to Essex Pension Fund. There is no element of discretionary payment in the calculation of the redundancy sums which are comprised solely of sums which are statutorily and contractually due.

- 5.10 Where applicants for any of the new positions are unsuccessful, this will result in a compulsory redundancy position. Dismissal by way of compulsory redundancy at Tier 2 must follow the same Executive consultation process as described above and falls to be approved by the Chief Executive and Deputy s151 Officer in the same way as other non-statutory chief officers. Any compulsory redundancy will also be reported to full Council for reasons of transparency.
- 5.11 The financial provision for all redundancies has been made within the Transformation Programme budget.

Appointment of Interim Statutory Officers

- 5.12 In accordance with Regulation 5 of the 2001 Regulations the Council is required to approve the appointment to the statutory posts of Monitoring Officer and section 151 officer.
- 5.13 To facilitate the transition of the redundancy process and to ensure the Council has postholders to the statutory roles of Monitoring Officer and section 151 officer, the appointment of interim postholders to these statutory posts is required pending the completion of the Tier 3 restructure and permanent appointment to the roles.
- 5.14 Jason Bishop, Legal Services Manager is the current Deputy Monitoring Officer and has when required taken on the full responsibility of the Monitoring Officer and performed the role to a satisfactory standard.
- 5.15 Lance Wosko, Financial Services Manager is the current Deputy Section 151 Officer and has when required taken on the full responsibility of the Section 151 Officer when required and performed the role to a satisfactory standard.

6. Corporate Implications

(a) Financial Implications

There is financial provision within the Council's approved budget for Transformation to cover the upfront cost of the voluntary redundancies.

The salary and employer's on-cost budgets for the four roles subject to voluntary redundancy will not be required going forward and therefore can contribute towards closing the Council's budget gap in 2024/25.

The payback period (that being how quickly the savings generated repay the cost of implementation) for this type of change would usually be expected to be no more than three years. It has been calculated that the payback period in this case is 19 months and therefore well within the maximum expected three-year period.

b) Legal Implications

Approving the dismissal of and appointment to the S151 and Monitoring Officer statutory roles is matter reserved to Council.

(c) Human Resources and Equality Implications

None to be addressed by this report.

(d) IT and Asset Management Implications

None to be addressed by this report.

6. Timescale for implementation and Risk Factors

Subject the formal decision of Council notice of redundancy will be issued to the relevant officers shortly after. Each employee has a contractual 12-week notice period. It is at the discretion of the Head of Paid Service to decide to pay in lieu of some or all the notice period.

7. Background Papers

Tier 2 end of consultation pack

Papers are Exempt under (Exempt Information under Paragraphs 1 & 2 Schedule 12A Local Government Act 1972)

Report Author: Angela Hutchings

**ORDINARY COUNCIL
26th July 2023**

Subject: Proposal for investment in updating and refurbishment works at the Knightswick Shopping Centre, Canvey Island

- 1. Purpose of Report**
To invest in the updating and refurbishment of the Knightswick Shopping Centre, Canvey Island
 - 2. Links to Council's Priorities and Objectives**
This item concerns a council investment which can support all the Corporate Plan Priorities - Economy and Growth, People, Place and Environment
 - 3. Recommendations**
 - (1) That the Council allocates up to £275,000 from the Knightswick earmarked reserve to cover professional fees for the technical development, construction and delivery of the refurbishment of the Knightswick Shopping Centre**
 - (2) That the Council allocates up to £1,000,000 from the Knightswick earmarked reserve to cover the internal refresh works at the Knightswick Shopping Centre**
 - (3) That the Council commissions the internal refresh works set out in the report and delegates authority to the Section 151 officer, in consultation with the Chief Executive and Leader of the Council to enter into contracts to procure the delivery of such works**
-

4. Background

- 4.1** Following a report to Cabinet on 18 January 2023, the Cabinet resolved to allocate up to £150,000 from the Knightswick earmarked reserve to commission a detailed business case for investment in the updating and refurbishment of the Knightswick Shopping Centre (the "Centre").
- 4.2** The motivating factor for the investment is the need for modernisation of the Centre, both to improve aspects of its appearance but also to instil confidence in the tenants of the Centre and businesses in the town centre that the Council

is investing in its asset. Furthermore, with the growth of the out of town offering at Roscommon Way, there is a need to ensure that the town centre remains attractive to business. The Centre is home to small and independent retailers along with larger multiples and remains an important draw for footfall which benefits all town centre business. Investment by the Council in the Centre will create a positive impact on business confidence which will encourage existing businesses to stay and invest themselves whilst at the same time attract new businesses.

- 4.3 Details of the proposed works are set out in the 18 January 2023 Cabinet report and in the assessment set out in Confidential Appendix 1 which will be circulated separately to Councillors.

5. Proposals

- 5.1 Mark Cobb, as sub-contractor for Montague Evans, the Council's managing agent, undertook preparation of the assessment of works required and the cost envelope required to deliver them. This assessment is set out in Confidential Appendix 1.
- 5.2 These works were funded from the £150,000 allocation. The latest forecast is that spend of £82,000 has been incurred. A further £60,500 has been deferred and will now form part of the professional fees budget required for RIBA stages 4 to 6. This leaves a £7,500 underspend on the RIBA stage 1 to 3 fees.
- 5.3 Following this assessment, the Council has undertaken a financial assessment of the works required and profiled these against the income generated by the Centre.
- 5.4 First, the professional fees required for RIBA stage 4 to 6 (technical design, construction and handover) need to be considered. It is estimated the fees required for these works are £275,000, inclusive of the £60,500 deferred from the up to stage 3 fees. The breakdown of the fees is as follows:

Area of Spend	£
Architect- Akinson Roe - Stage 4	35,000
Architect- Akinson Roe - Stages 5 & 6	45,000
Cost Consultants - Avison Young	55,000
Project Manager - T B C	62,500
Structural/Acoustic	7,000
M&E	6,500
Fire Engineering/Strategy	7,500
Planning / Building Control	1,500
H&S/CDM	2,500
Legal	5,000
Asset Management	40,000
Contingency	7,500
TOTAL	275,000

- 5.5 Next, we need to consider the actual construction costs. In the January 2023 Cabinet Report, it was estimated that the total cost of all the works, both internal

and external elements, would be £2.6m. Following the surveys and works done to get to the end of RIBA stage 3, the total cost is now estimated to be £2.4m, a reduction of £200,000. It is important to note though that until the technical design (RIBA stage 4) is completed and the project put out to tender, these are only an estimate.

- 5.6 Of the £2.4m estimate, £1.34m relates to the external works whilst £997,000 relates to the internal refresh works, and £45,000 remains as an allowance for inflation. At this stage, approval is sought only for the internal refresh works, with the external works to be subject to a future decision.
- 5.7 Evidently this would be a significant investment for the Council, and we need to consider how this can be funded. The first source of funding is the existing earmarked reserve which is holding the funds accumulated since the Council purchased the Centre. As at the end of March 2023, the reserve held a balance of £1.7m.
- 5.8 Therefore, the balance in the earmarked reserve is sufficient to meet the £275,000 cost of the professional fees and the £1m cost of the internal refresh works. The remaining balance can be held to contribute towards the external works should the future decision be taken to progress with that element of the work.
- 5.9 In addition to the earmarked reserve, we also need to consider the expected surpluses to be generated by the Centre over the medium term. Detailed cash flow modelling has been undertaken for the next five years, taking into account all known aspects of current leases and making various assumptions about renewals and the commercial terms that will be negotiated.
- 5.10 The outcome of the cash flow modelling is that the centre is expected to generate a net surplus of £1.65m over the next 5 years. This alone is sufficient to meet the costs of the external works should they proceed.
- 5.11 Should a future decision on the external works be presented, options for funding and managing the cash flow will be presented at the same time, but on the basis of the current figures, taking into account the remaining balance in the earmarked reserve too, any new borrowing would be limited and relatively short term.
- 5.12 When considering the value for money of the proposal to complete the works, the usual measures such as payback period are irrelevant. This is because the investment proposed is unlikely itself to generate new additional income. Instead, the investment is required to prevent the Centre entering a period of decline in the future as tenants determine that the dated appearance is no longer tolerable.
- 5.13 Therefore, the investment needs to be seen as required to maintain the Centre's value in the longer term. Making such substantial investment now strengthens the Council's negotiating position when leases come up for renewal or new leases are being let.

- 5.14 It is known from experience evidenced elsewhere that should units remain empty; centres can start to decline with more leases then coming to an end. Consequently, within a relatively short time centres become an undesirable place to trade from and the value of the centre itself reduces accordingly.
- 5.15 On 17th July 2019 a Special meeting of the Council resolved that expenditure relating to the Centre be managed via the earmarked reserve (Minute number 16 refers). On the basis that the investment identified above can be met from within the revenues generated from the Centre in the medium term, this is the basis on which it is proposed that the refurbishment works be funded.

6. Corporate Implications

(a) Financial Implications

As set out in the body of the report.

(b) Legal Implications

The Council's contract procedure rules will apply to the commissioning of the proposed works, ensure the process covers all legal requirements.

(c) Human Resources and Equality Implications

Human Resources

There are no human resources implications in relation to this proposal.

Equality Implications

An Equality Impact Assessment has been carried out and the impact of the proposal is neutral.

(d) IT and Asset Management Implications

There are no IT implications in relation to this proposal.

Internal improvements to the Centre will be managed as part of the Knightswick reserve and not part of the General Fund.

7. Timescale for implementation and Risk Factors

Should the recommendations within this report be approved, work will commence immediately to progress the scheme.

Risks exist with regards to the cost of the construction work, as whilst estimates have been made until the procurement process is completed the actual cost remains unknown.

8. Background Papers

- Equality Impact Assessment
- Cabinet Report 18 January 2023

Report Author: Angela Hutchings, Chief Executive
Lance Wosko, Financial Services Manager